

Previous references.

File No. 132 of 03-04

1903-04
(Courts)

Serial Nos. 182

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 182

Part B. for

SUBJECT.

Bills for Rs 100/- being two fees claimed by Mr Anantha chetty, public prosecutor Chitaldrug for conducting two Sessions cases.

1. on

the first at the magistrate Chitaldrug

No. 223 dated 17th Dec 1903 (J 168)

Forwards two bills for Rs 85/- ^{respects} claimed by Mr Anantha Chetty public prosecutor Chitaldrug for conducting two Sessions Cases and requests that the fee of Rs 85/- charged for the first case may be allowed as the case dragged on for 8 days of special importance and difficulty, and a fee of Rs 15/- for the ~~latter~~ 2nd case

G. R. S. 58

Chitaldrug

the first magte for the Comptroller

No. 1485-90 JT D 29.1.04

Sanctions the bills received with Rs 1.

S. 182 3

Mysore Govt Secy.
Office of the Dewan of Mysore.

Office Note.

File No. (if any) -

Directions.

No., date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

Branch: — judicial.

Subject: — 2 bills subd by Public Prosecutor Chitaldrug, on account of fees for having conducted 2 sessions cases before the Asst. Sessions Judge, Chitaldrug.
Letter No 523 d: 17-12-03 from Dn Chitaldrug, subg —

The Public Prosecutor has submitted two bills, one for Rs 85 for having conducted a case of forgery, the trial of which was said to have lasted 8 days, and another for Rs 15 for a single case, which is allowable under in accordance with the scale fixed by Govt in ~~the~~ order No. 2165-72 dated 7-789A-03
30th June 1903.

As regards the 1st bill, the District Magistrate says that the Assistant Sessions Judge is of opinion that the case was one of special importance and difficulty and that the fee charged by the Public Prosecutor may be allowed and recommends that the bill may be sanctioned. The scale fixed

by Govt is as shown below: —

(a) In ordinary cases — Rs 15

(b) — do — the trial of } . 30
which extends beyond 2 days }

(c) In spl cases of exceptional importance and difficulty — such higher fee as on the re-commandation of the Dist Magistrate may be specially sanctioned by Government

Subd for order with a draft sanctioning the bill.

SN
4/1/04

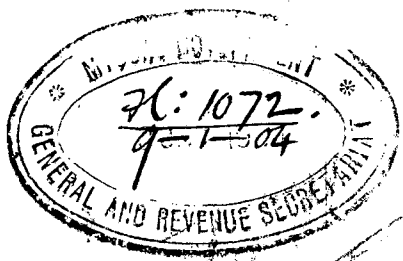
Strictly speaking, only a fee of Rs 30 can be claimed in the first case. No particulars are before Govt from which it can be proved whether the case ~~was~~ one of exceptional importance and difficulty. Mere duration is not enough, & even of course as involving payment at the higher rate of Rs 30. If Govt are generally disposed, perhaps a fee of Rs 50 may be allowed.

As regards the other case, the Dist Magistrate may be empowered to pass the bill himself. Or a general order to all Dist Magistrates may be issued to this effect, after a reference to the Finance Dept.

To Secy

7-1-04

I think the matter in the 2nd case may be left to Dy Commr. The



It Deptt may state whether
there is any objⁿ.

To H Deptt 8/1/4 Hun
D102

I do not think that the
anthesis can be deleted.
(Please see art. 278 A,
chap. 17; Min Civil
Account Code — Exact
put up for ready reference,
11/1/4

Mr Secretary

I think that 50Rs is fair
and may be allowed; ^{for the larger case.} Draft
~~are submitted for approval~~ ^{Draft} Issue
order sanctioning 65Rs for both
cases, submitted for approval
Hun
18/1/4

To the Dewan
through the 2nd. Councillor.

18/1/4 I am not satisfied
that the fee claimed in
the first case is
excessive. Why not get a
more detailed report if
necessary. An advocate
words for 8 days, etc.

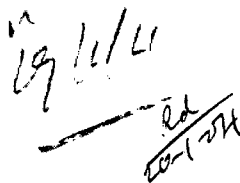
637
18-1-54

Proposed to give him so small
a fee as 50 Rs, which means
6-10-8 a day - Q

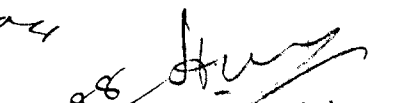
I would submit that it is ¹⁹⁻¹⁻⁰⁴
hardly worth making further in-
quiries. The whole claim may
be passed as recommended by
the Dth Magistrate if appr^d.


19/1/4

To the Dewan,
through the 2nd. Councillor.

19/1/4

20-1-04

This is an advocate
of considerable standing and
large practice. He accepted
the abolition of Public
Prosecutor more for the abuse
attached to it than for the
precarious emoluments likely
to be obtained from it. The
fee charged in the present case is recommended
by the apt
Deputy Just.
of the District
Magistrate
and I would rather not cut
it down. I agree to it
being allowed as now
proposed by the Jany Q.
21-1-04

15388 
23.1.04 12/1/4
21-1-04

Extract.

278A. Local Governments (including the Commissioners) may also, subject to the provisions stated below, without reference of each case to the Govt. of India, sanction expenditure, whether Provincial or Imperial, on objects customarily recognised as fit objects for the expenditure of public money, in cases in which a reference to the Govt. of India has hitherto been required either (a) by the terms of any rule or order, or (b) because the conditions or limitations prescribed in any rule or order are not completely fulfilled, or (c) because there is no rule or order authorising the expenditure: Provided that:-

- (1) the sanction relates only to a single payment and does not cover any recurring payment;

Note - This does not prohibit a payment calculated at so much per day or per month (e.g. joining time over 30 days), but merely excludes periodical payments running into future dates.

- (2) The Sanction does not involve the setting aside of any existing rule of the Govt. of India as distinguished from the granting of an exemption from its operation, justified by special circumstances; and that it does not establish a new rule or practice involving expenditure;
- (3) The total amount payable under the Sanction does not exceed Rs. 100/- in any case if charged wholly or partly to Provincial or Local and Rs. 500/- if charged wholly to Imperial;
- (4) The expenditure is within the power of the Govt. of India to sanction, and does not require a reference to the Secretary of State.

Each Sanction given under the powers conferred in this Article must quote the Article for the information of the Account Officer concerned. The Authority must not be delegated. It applies to all payments in the Civil Department and to all payments under the Civil Service Regulations in the Public Works Department.

G.O. No 2165-72

Dated 30th June 1903

J.7-89.A of 03

Under Section 492 of the Code of Criminal Procedure, the following Advocates are appointed Public Prosecutors for the Districts shown against their names to appear and conduct prosecutions of cases tried by Assistant Sessions Judges.

Name.	District
Mr. M. A. Sreenivasachari.	Hassan.
Mr. M. Anantha Chetty	Chitaldrug.
Mr. S. V. Dasappa, B.A.B.L.	Kadur.

The appointments will be for a period of 2 years from 1st July 1903.

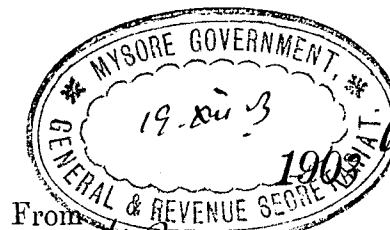
2. The scale of fees payable to the above will be as shown below: -

- (A) In ordinary cases ——— Rs 15-
- (B) In ordinary cases the trial of which extends beyond 2 days" 30.
- (C) In Special cases of exceptional importance and difficulty — Each higher

higher fee as on the recommendation
of the District Magistrate maybe specially
sanctioned by Government.

(Sd) K. S. Chendrasekharaditya
For Secretary

File no: 132 of 03-06
St. 1



2968

From *A. Ramaniyengar Esquire*
District Magistrate
Chitaldrug District

Intd
19.12.03

To *A. V. Nanjundappa Esq. M. A. M. L.*
Secretary to the Government of
His Highness the Maharaja of Mysore
General and Revenue Department,

Dated *17.12.03* } *Bangalore*
Despatched *17.12.03* } *December 1903*
Received

General No. *323*
No.

Checked
17.12.03
18.12.03
19.12.03

Enclosure No. *2*

Has the honor to forward
herewith, two bills for Rs 100/- Claimed
by *M^r Anantha Chetty*, Public
Prosecutor, Chitaldrug, received with
Assistant Sessions Judge's docket
No. 13 of the 14th Instant, on account
of fees for conducting 2 Sessions Cases
before the Assistant Sessions Judge
at Chitaldrug.

2. *M^r Anantha Chetty* has
Charged Rs 85/- for the Case of forgery
the trial of which is said to have
lasted for 8 days. The Assistant
Sessions Judge is of opinion

that

that the Case was one of special importance and difficulty and that the fees charged by the Public Prosecutor may be allowed. In the other case only Rs 15/- has been charged and this is allowable under the orders of Government.

3. Requests therefore that the 2 bills in question may be kindly passed and forwarded to the Comptroller for audit.



District Magistrate
Chitalany District.

24

File no: 1328 03-04 3
Read: - 82 2

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57 2/04

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ld
21-1-04

Letter No 323 dated the
17th December 1903, from the Dist.
Magistrate, Chitalong District,
submitting for sanction two
bills, one for Rs 85 and another
for Rs 15, ~~sub~~ being the fees
claimed by Mr Ananthachetty,
Public Prosecutor, Chitaldroog
District for having conducted
two sessions cases before the Asst
Sessions Judge at Chitalong
and stating that the case for
which a fee of Rs 85 has been
charged, ~~lasted for 8 days~~ was
one of special importance
and difficulty and lasted for
eight days and that in the
opinion of the Asst Sessions
Judge the fee may be allowed.

✓
1489-20 ld. 2 bills
The bills are 22/1/04
sanctioned ✓

Order thereon. No.
The fee in the first bill ^{less expenses} ~~is Rs 26~~ a lump sum of Rs 26,
which is considered ~~the~~ ^{to be} ~~two bills~~ ^{revised}

With the letters read above are
according to Rs 80 and Rs 15 respecting
(sanctified) and forwarded to
the Comptroller for audit

18-1-04

27/1/4
Secretary

06596
und
23.1.04

To
The St. Magd, Chikaldong
" Comptroller, with the bills

SN
6/1/04

Specd.
28/04